

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

“BARBARA;” “SARAH,” by guardian, parent,  
and next friend “SUSAN;” and “MATTHEW,”  
by guardian, parent, and next friend “MARK;”  
on behalf of themselves and all those similarly  
situated,

*Plaintiffs,*

v.

DONALD J. TRUMP, President of the United  
States, in his official capacity, et al.,

*Defendants.*

Case No. 1:25-cv-244

**DECLARATION OF MORENIKE FAJANA IN SUPPORT OF  
PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION**

I, Morenike Fajana, declare as follows:

1. I am a Senior Counsel at the NAACP Legal Defense and Educational Fund, Inc. (“NAACP LDF”), and am counsel for Plaintiffs in the above-captioned matter. I make this declaration to describe my qualifications and those of my colleagues to serve as counsel for the Proposed Class in this case. The following facts are based on my own personal knowledge and, if called as a witness, I could and would testify competently thereto.

2. NAACP LDF is the nation’s first and foremost civil rights law organization. Through litigation, advocacy, and public outreach, NAACP LDF strives to secure equal justice under the law for all Americans and to break down barriers that prevent Black Americans from realizing their basic civil and human rights. For over eighty years, NAACP LDF has represented parties in litigation before the U.S. Supreme Court and lower federal courts on important cases involving civil rights and constitutional law. *See, e.g., Dream Defenders, et al. v. Governor of the State of Florida, et al.*, No. 21-13489 (11th Cir. 2023) (upholding the District Court’s grant of a preliminary injunction of enforcement of key provisions of an anti-protest law, which redefined the crime of “riot” in a manner

that chilled the exercise of First Amendment rights); *Allen v. Milligan*, 599 U.S. 1 (2023) (affirming the District Court’s order striking down Alabama’s 2021-enacted congressional map for violating the Voting Rights Act of 1965 for diluting Black political power, and holding that applying the § 2 of the Voting Rights Act of 1965 to redistricting did not violate the Fifteenth Amendment); *League of Women Voters of Fla., Inc. v. Fla. Sec’y of State*, 66 F.4th 905 (11th Cir. 2023 (affirming the District Court’s permanent injunction striking down the solicitation provision of a voting law, S.B. 90, as unconstitutionally vague).

3. NAACP LDF has focused a significant amount of its work on class actions in order to secure systemic change. For example, in recent years, NAACP LDF has served as class counsel in the following certified class actions, among others: *Pickett v. Cleveland*, 1:19-CV-2911 (N.D. Ohio Sept. 30, 23) (certifying classes of hundreds of residents subjected to erroneous water billing charges, water service shutoffs without adequate notice, and the discriminatory use of liens for unpaid water bills); *Henderson v. Vision Property Management*, No. 20-CV-12649 (E.D. Mich. Nov. 27, 2024) (preliminarily certifying settlement classes of hundreds of homeseekers who entered into allegedly predatory and discriminatory home purchase contracts in Michigan); *Grottano v. The City of New York*, 15-CV-9242, 2021 WL 5563990 (S.D.N.Y. Nov. 29, 2021) (certifying a settlement class pursuant to a Settlement Agreement enjoining improper searches of visitors to Department of Corrections facilities and establishing a \$12.5 million settlement fund); *Fortune Society v. Macy’s*, 19 Civ. 5961, ECF No. 116 (S.D.N.Y. Dec. 14, 2020) (certifying a settlement class in challenge to criminal history screening policies and practices); *Boudreaux v. Sch. Bd. of St. Mary Par.*, No. 6:65-CV-11351, 2020 WL 5367088 (W.D. La. Sept. 8, 2020) (certifying a class of thousands of Black students, currently, formerly or to be enrolled in schools operated by St. Mary Parish School Board and their legal guardians and describing NAACP LDF as “highly qualified” class counsel, with a “corporate reputation for expertness” in civil rights litigation that extends back decades) (internal

citations omitted); *Times v. Target Corp.*, No. 18 Civ. 2993, 2019 WL 5616867 (S.D.N.Y. Oct. 29, 2019) (certifying a settlement class of thousands of job applicants in an employment discrimination case, involving criminal background checks); *Little v. Wash. Metro. Area Transit Auth.*, 249 F. Supp. 3d 394 (D.D.C. 207) (certifying classes of thousands of applicants for employment with the Washington Area Metropolitan Authority alleging denial of employment on the basis of a policy which disproportionately affected Black applicants); *Davis v. City of New York*, 296 F.R.D. 158 (S.D.N.Y. 2013) (certifying classes of Black and Latinx public housing residents and their guests in New York City, who have been unlawfully stopped and arrested on suspicion of trespass by police officers without the requisite level of suspicion and in a racially discriminatory manner); *Wright v. Stern*, 553 F. Supp. 2d 337, 347 (S.D.N.Y. 2008) (commending “depth of commitment” and “the quality of the representation provided by class counsel[,]” including LDF); *Lewis v. City of Chicago*, Case No. 98C5596 (N.D. Ill. Mar. 20, 2007) (representing a class of approximately 6,000 applicants for alleging denial of employment on the basis of discriminatory hiring practices which disproportionately affected Black applicants).

4. NAACP LDF is committed to continuing to expend substantial time and resources to zealously represent the Proposed Class.

#### **Morenike Fajana**

5. I graduated *cum laude* from Columbia Law School in 2013. I am barred in the state of New York, and admitted to practice in the United States District Courts for the Southern and Eastern Districts of New York, the United States Courts of Appeals for the Eighth and Eleventh Circuits, and the Supreme Court of the United States. After law school, I practiced international human rights law and worked as a legal services attorney for nearly four years, representing nearly a hundred clients a year in New York state courts. Beginning in 2019, I served as Special Counsel at the New York State Office of the Attorney General where I led complex civil litigation in federal court. I have argued

multiple cases before district courts, led litigation in the Eighth and Eleventh Circuits, and co-authored multiple briefs filed with the Supreme Court. I co-teach the Racial Equities Strategies Clinic at the NYU School of Law.

**Ashley Burrell**

6. Ashley Burrell graduated from Columbia University School in 2013, and she is a Senior Counsel at LDF. She is barred in the state of New York and admitted in the United States District Court for the Eastern District of New York and the Supreme Court of the United States. Prior to joining NAACP LDF in 2022, Ms. Burrell worked over five years at the Bronx Defenders, and another three years as an Assistant Federal Defender at the Federal Defenders of New York. Ms. Burrell has argued multiple cases before district courts and co-authored multiple briefs filed with the Supreme Court. She also co-teaches the Racial Justice Externship at Columbia Law School.

**Elizabeth Caldwell**

7. Elizabeth Caldwell graduated *magna cum laude* from New York University School of Law in 2018. She is barred in the state of New York and is admitted to practice in the United States District Court for the Southern District of New York and United States Court of Appeals for the Tenth Circuit. After law school, Elizabeth clerked for the Hon. Berle Schiller (ret.) of the United States District Court for the Eastern District of Pennsylvania and for the Hon. Kermit V. Lipez of the First Circuit Court of Appeals. She litigated numerous criminal appeals during her time at the Center for Appellate Litigation, and she taught a course on federal courts and appellate practice as an Adjunct Professor of Law at New York University School of Law for two years.

**Morgan Humphrey**

8. Morgan Humphrey graduated from Rutgers Law School in 2021 and afterwards, clerked in the New Jersey Superior Court, Appellate Division for the Hon. Thomas J. Sumners. She is admitted to practice in New Jersey. Prior to joining NAACP LDF as its Civil Rights Fellow, Ms.

Humphrey was an associate and Civil Rights Fellow at Fried, Frank, Harris, Shriver & Jacobson LLP for two years.

**Mide Odunsi**

9. Mide Odunsi graduated from Stanford Law School in 2023. After law school, Ms. Odunsi clerked for the Hon. Matthew F. Kennelly of the United States District Court for the Northern District of Illinois. She is barred in the state of Illinois. Ms. Odunsi is an Equal Justice Works Fellow at NAACP LDF.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Morenike Fajana  
Morenike Fajana

Executed on March 14, 2025.